

Michael Faillace & Associates, P.C.

Employment and Litigation Attorneys

60 East 42nd Street, Suite 4510
New York, New York 10165

Telephone: (212) 317-1200
Facsimile: (212) 317-1620

Memo Endorsed

October 25, 2019

VIA ECF

Hon. Ona T. Wang
United States Magistrate Judge
United States District Court
500 Pearl St
New York, New York 10007

Re: Nepomuceno Valencia, et al. v. Doughboys of 3rd Ave, Inc., et al.;
Case No. 18-cv-11385-JGK-OTW

Dear Judge Wang:

The parties write jointly to update the Court on the status of the above-captioned matter. The parties are still in the process of potentially negotiating a resolution of this matter. Defendants' counsel has provided copies of judgments against Defendant Van Selvarajah and has contended that Defendants have a limited ability to pay any potential settlement. Plaintiff's counsel has asked Defendant's counsel to provide tax returns and financial statements to support this contention.

We thank the Court for its time and attention to this matter.

Respectfully Submitted,

/s/Finn Dusenbery, Esq.

Finn Dusenbery, Esq.
MICHAEL FAILLACE & ASSOCIATES, P.C.

Attorneys for Plaintiff

/s/ Richard Hendler

Richard Hendler, Esq.
LAW OFFICES OF RICHARD M. HENDLER

Attorney for Defendants

A joint letter on the status of settlement is due by **December 4, 2019**. If no settlement has been agreed to at that time, parties must state how they wish to proceed.

SO ORDERED.



Ona T. Wang
U.S. Magistrate Judge

10/28/2019